

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: William G. Tatton, Katherine
Borden and Maria Salvato

Application No.: 09/249,350

Filed: February 11, 1999

For: *USE OF DEPRENYL COMPOUNDS TO
TREAT VIRAL INFECTIONS AND REDUCE
TISSUE DAMAGE ASSOCIATED
THEREWITH*

Attorney Docket No.: WTZ-004



Group Art Unit: 1617

Examiner: M. Bahar

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Commissioner for Patents
Washington, D.C. 20231

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Nelson Barros
NELSON BARROS

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RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is a response to the Office Action (Paper No. 8) dated December 19, 2000. A separate petition for extension of time is enclosed.

Restriction Requirement under 35 U.S.C. § 121

Claims 1-23 are pending in this application. The Examiner has required restriction of the claims in the present application to one of the following inventions:

Group I: claims 1-8, drawn to a method of treating a viral infection, comprising administering to a subject in need thereof a therapeutically effective

amount of a deprenyl compound such that treatment of the viral infection occurs, classified in class 514, subclasses 408, 451, 641 and 654;

- Group II: claim 9-13, drawn to a method of inhibiting replication of a virus in a virus-infected cell, comprising contacting the virus infected cell with an effective amount of a deprenyl compound, such that the affinity of GAPDH for viral RNA is decreased and viral replication in the virus-infected cell is inhibited, classified in class 514, subclasses 408, 451, 641, and 654;
- Group III: claims 14-17, drawn to a method of decreasing the affinity of GAPDH for viral RNA, the method comprising contacting GAPDH with a deprenyl compound, such that the affinity of GAPDH for viral RNA is decreased, classified in class 514, subclasses 408, 451, 641 and 654;
- Group IV: claims 18-19, drawn to a method for inhibiting replication of a virus in a virus-infected cell, comprising inhibiting colocalization of GAPDH with PML such that the replication of virus in the virus-infected cell is inhibited classified in class 514, subclasses 408, 451, 641 and 654; and
- Group V: claims 20-23, drawn to a method for inhibiting tissue damage due to viral infection, comprising administering to a subject in need thereof an effective amount of deprenyl compound such that prevention of tissue damage due to viral infection occurs, classified in class 514, subclasses 408, 451, 641 and 654.

Applicants elect without traverse to prosecute Group I, claims 1-8.

Election of Species under 35 U.S.C. § 121

The Examiner has required the Applicants, under 35 U.S.C. § 121, to elect a specific compound for examination purposes. Applicants elect (-)-desmethyldeprenyl as the specific compound, without traverse. The elected species, (-)-desmethyldeprenyl, is readable upon each

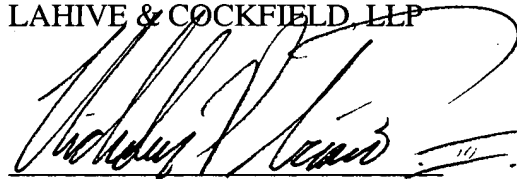
of claims 1-23. It is Applicants' understanding that the species election is for searching purposes only and upon a finding of allowability of the elected species, the remaining species also will be searched.

The Examiner has required the Applicants, under 35 U.S.C. § 121, to elect a single disclosed viral species for examination purposes. Applicants elect HIV as the viral species, without traverse. The elected species, HIV, is readable upon claims 1-23. It is Applicants' understanding that the species election is for searching purposes only and upon a finding of allowability of the elected species, the remaining species also will be searched.

SUMMARY

If a telephone conversation with Applicants' attorney would help expedite the prosecution of the above-identified application, the Examiner is urged to call Applicants' attorney at (617) 227-7400.

Respectfully submitted,
LAHIVE & COCKFIELD LLP



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Dated: February 5, 2001